

AMENDMENTS TO THE CLAIMS:

The following listing of claims supersedes all prior versions and listings of claims in this application:

LISTING OF CLAIMS:

1. (Currently Amended) A method of transmitting data over a network having initially undetermined transmission capacity, in which the data comprise [[a]] an audio first part representing audio information and at least two alternative video second parts representing video information corresponding to respective different resolutions, for synchronized presentation at a receiving terminal simultaneously with the first part, said method comprising:

(a) transmitting at least an initial portion of the audio first part comprising audio but no video signals;

(b) receiving data indicative of the available transmission capacity;

(c) choosing among the alternative video second parts, as a function of the data indicative of the available transmission capacity; and

(d) transmitting the chosen video second part and any remainder of the audio first part;

wherein the audio first part is data ~~representing~~ comprising an audio signal but no video signal and the alternative video second parts are alternative sets of associated video

data, encoded at respective different compression rates, for presentation simultaneously with the associated audio data.

2. (Currently Amended) A method according to claim 1 including the step of generating said data indicative of the available transmission capacity by monitoring the transmission by the network of the said initial portion of the audio first part.

3. (Currently Amended) A method according to claim 1 in which, in an initial time period of step (d), transmission of a leading part of the chosen video second part of an extent corresponding to the extent of the audio first part already transmitted is performed preferentially to, or to the exclusion of, further transmission of the audio first part.

4-7. Cancelled

8. (New) A method for transmitting related audio and video digitized data representing an audio-visual presentation over a communications network having an initially undetermined transmission capacity, said method comprising:

- (a) initially transmitting digitized audio data over a communications network without corresponding digitized video data;
- (b) determining available transmission capacity of the communications network based on said initial transmission of audio data;
- (c) selecting one of plural corresponding but different resolution digitized video data as a function of the determined available transmission capacity; and

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(d) thereafter continuing to transmit (i) said digitized audio data, and (ii) the selected resolution digitized video data over said communications network.